

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re:

HARPOLE CONSTRUCTION INC.,

Case No. 15-12630 t11

Debtor.

**ORDER APPROVING DISCLOSURE STATEMENT AND SETTING OBJECTION AND
VOTING DEADLINES; NOTICE OF FINAL HEARING ON PLAN CONFIRMATION**

On February 13, 2017, Debtor filed its Third Amended Chapter 11 Plan, doc. 412 (“Plan”) and a proposed Third Amended Disclosure Statement, doc. 414. Debtor later supplemented the Third Amended Disclosure Statement by inserting a new Exhibit F (with the new exhibit, the “Disclosure Statement”). Having conducted a hearing and determined that the Disclosure Statement contains adequate information,

IT IS ORDERED:

1. Disclosure Statement Approved. The Disclosure Statement is hereby approved.
2. Mailing Deadline. By March 31, 2017, Debtor’s attorney shall see that a copies of this order and notice, the Plan, the Disclosure Statement, and a ballot conforming to official form 14 are transmitted by mail to debtor and to all creditors, equity security holders, and other parties in interest as provided in Fed. R. Bankr. P. 3017(d), using the official mailing matrix. The ballot should direct creditors to return it to Debtor’s attorney. Within 5 days after mailing, a certification of such mailing shall be filed with the clerk.
3. Tally of Ballots. Before the confirmation hearing, debtor’s attorney shall certify and file a tally of ballots, attaching copies of the ballots. The tally of ballots shall indicate, for each class of claims, the number and percentage of votes for and against the Plan, and the total dollar amounts and percentages of the claims so voting. Debtor’s attorney shall bring the original ballots to the confirmation hearing.
4. Objection/Voting Deadlines. April 21, 2017 is fixed as the last day for (i) filing and serving written objections to confirmation of the Plan pursuant to Fed. R. Bankr. P. 3020(b)(1); and (ii) mailing written acceptances or rejections of the Plan to the Debtor’s attorney.
5. Final Hearing. On May 2, 2017 at 9:00 a.m. the Court will hold a final, evidentiary hearing to consider confirmation of the Plan in the Animas Courtroom, 13th floor, Dennis Chavez Federal Building and United States Courthouse, Albuquerque, New Mexico.
6. Witness and Exhibit Lists. No later than April 27, 2017, Debtor and any objecting/rejecting party wishing to participate in the final hearing shall file and serve witness and

exhibit lists. Parties shall exchange exhibits and provide three copies of the exhibits to Chambers prior to the hearing. If any party has more than five exhibits, they shall number and bind the exhibits. The parties should be prepared to notify the Court at the beginning of the hearing which exhibits can be admitted into evidence by stipulation.



Hon. David T. Thuma
United States Bankruptcy Judge

Entered: March 28, 2017

Copy to debtor's counsel:

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Note: Inquiries regarding this order and notice should be directed to Debtor's counsel.